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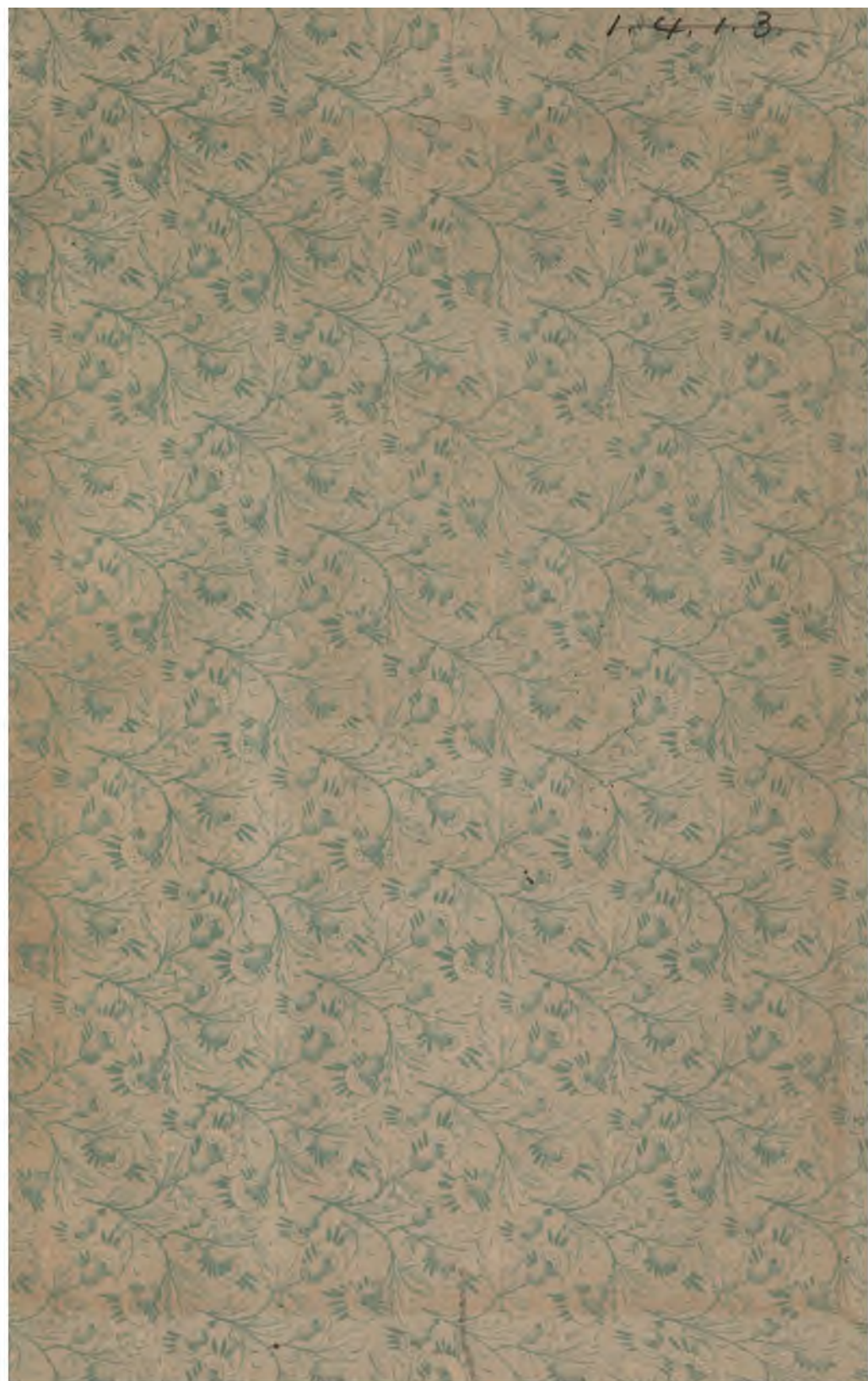
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*Kentucky Neutrality
in 1861-*

By Benjamin F. Stevenson.



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"Kentucky Neutrality in 1861."

—A PAPER—

READ BEFORE THE

OHIO COMMANDERY

—OF THE—

Military Order of the Loyal Legion,

—OF THE—

UNITED STATES,

—BY—

BENJ. F. STEVENSON,

Late Surgeon (Major) 22d Kentucky Volunteer Infantry.

JUNE 2D, 1886.

CINCINNATI.
H. C. SHERICK & CO.
1886.

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KENTUCKY IN 1859.

At the general election of 1859, Beriah Magoffin was chosen Governor, and the same wave of popular sentiment that carried him into the executive chair took with him a majority of the Legislature of his political sentiment.

On the outbreak of rebellion in 1861, the executive branch of the Government of Kentucky was found to be in full sympathy and accord with it, as is proven by the response of the Governor to President Lincoln's call for troops to aid in its suppression :

FRANKFORT, KY., April 16, 1861.

HON. SIMON CAMERON, Secretary at War :

Your dispatch is received. In answer, I say emphatically that Kentucky will furnish no troops for the wicked purpose of subduing our sister Southern States.

B. MAGOFFIN,
Governor of Kentucky.

That was the official response to a legal and proper call from his official superior, who was but exercising an irremissible duty.

The response was curt and blunt enough to indicate the feelings and purpose of His Excellency, but it was not so curt as the spontaneous verbal response—as reported by the papers of the day on reading the telegram—“Tell old Abe to go to hell, and I'll go to my dinner.”

KENTUCKY STATE MILITIA.

In the olden times Kentucky had a system of military enrollment and drill which was a burlesque on tactics, subordination, and duty. It had no useful results ; its chief defect was to fill the land with hosts of be-feathered and epauletted officers, who were worthless, inefficient, and incompetent to set a squadron in the field. For fifteen years before the rebellion it had gone into the stage of “innocuous desuetude.”

UOPM

The Legislature of '59-'60 amended the military laws of the State, consolidated all the independent uniform companies of the State into one organization, under the name of the Kentucky State Guard, and the arms and equipments for this body—between twelve and fifteen thousand strong—were drawn from the National armories with the deliberate intention to use them against the Nation.

Simon Boliver Buckner was made Inspector-General of the State, and Commander-in-Chief of all State troops, and this body formed the nucleus of all the rebel force that went into rebellion from Kentucky, John H. Morgan's command being the first detachment to abandon the State.

Let the following letter say what manner of man Simon Boliver Buckner proved himself to be:

BOWLING GREEN, KY., Sept. 19, 1861.

MR. GEORGE W. TRIPLETT:

My Dear Sir—Yours is received. Lock No. 1 must be destroyed. I rely on our friends at Owensboro to do it; not an hour must be lost. The destruction is a great deal to me in crippling our adversary. Assemble our friends without delay in sufficient force to accomplish the object. If possible, it should be done in such a way as to leave a strong current through the lock, which will empty the dam. Provide everything in advance. Do not fail; it is worth an effort.

S. B. BUCKNER.

[Without his Official Signature.]

This letter, together with his unconditional surrender of Fort Donelson, will preserve his name from oblivion.

THE GENERAL ASSEMBLY.

Resolutions passed by the General Assembly of Kentucky January 21, 1861:

"1st. That the General Assembly has heard with profound regret of the resolutions of the States of New York, Ohio, Maine, and Massachusetts, tendering to the President men and money to be used in coercing sovereign States of the South into obedience to the Federal Government.

cordance with Christian charity to hope when the last man
of all who were engaged in rebellion shall have taken

“His chamber in the silent halls of death,”

And when

“All their bones are dust
And all their good swords rust.”

That in the general resurrection their

“Souls may rise with the just,”

and be made guests of heaven.

And then, and then, in the great and glorious future of
the nation may some immortal bard, filled with righteous
indignation, rise up and reconstruct a new Dantean hell ;
may he snatch from the forgetfulness of time, from the gloom
of the grave, from the oblivion of the future, the names of
every active aider, abetter, and participant in rebellion, and
with pen of fire write them indelibly on the tablets of hell ;
this, as an everlasting memorial, admonition, and warning
to all future generations of man against another wicked
and wanton sacrifice of human lives at the shrines of sec-
tional aggrandizement and of personal ambition.

conveyance with postilion, out-rider and body-servant. He had been a power in the land. He was strictest among strict constructionists, but for all the real or imaginary wrongs of the country his appeal was to the courts of law. His honors, all, he fairly won in the forum of debate. He had not been the ward of the nation, nor had he fed at its bountiful table, neither did he stab at its life. He was a large slave owner, but his slaves he freed and provided for their comfortable maintenance; not at his command were the dogs of war unleashed to ravin and rage throughout the land. Not for his promotion to place and power were the gates of death and hell thrown open wide, and kept open through dreary years of bloodshed and carnage. His private life had been pure and unstained by fraud or wrong. He had his affairs of honor, but the prayer of David—"Preserve me, O God, from blood guiltiness"—had been vouchsafed to him.

When he met face to face with the grim monster—we have all to meet—he called to his faithful, his ever-faithful Jubal, "Jubal, bring me a sheet of paper and a pencil—you will find them there," pointing with his long, skinny attenuated finger, which had been potent as the speaker's mace in the hall of Congress. They were brought. And his last conscious effort was to pencil on the fair white sheet a single word, thrice repeated—

"Remorse—Remorse—Remorse—"

and then he breathed his last.

The misuse of his great faculties, the neglect of his many opportunities for usefulness, wrung his soul with anguish. His manner of life, his many eccentricities had been a mystery to the world. His death was an admonition. He whose life imparts wisdom to mankind, though he lived not wisely, has lived not in vain.

Who among all the hosts of men engaged in the effort to overthrow the nation, and who have gone to their long homes, have expressed remorse for their great wrong?

Man can not sit in judgment on his fellow-man; certainly not those engaged in opposing hosts, but it is in ac-

KENTUCKY NEUTRALITY IN 1861.

What is now known on the map as the State of Kentucky was, during our Revolutionary struggle, an appanage of the then colony of Virginia; and in the year 1777 it was organized by the House of Burgess as a county under the name of Kentucky, and it was allowed two representatives in the House of Burgess. In 1781 three counties were organized out of the one—Fayette, Jefferson, and Lincoln—with two representatives assigned to each county, the territory still retaining its designation as Kentucky, but losing its organization as a county. At the close of the Revolutionary War, Virginia was encumbered with a heavy debt, contracted mainly in the common defense of the Nation.

The vast body of land north of the Ohio River—an empire in extent—claimed by Virginia to be within her chartered limits, she with singular magnanimity surrendered to the National Government—in trust—as a fund out of which the general indebtedness, contracted during the war, should be paid. Out of this grant five States have grown up, viz.: Ohio, Indiana, Illinois, Michigan, and Wisconsin. The lands of Kentucky were reserved by Virginia to aid in the liquidation of the debt to her own citizens.

In pursuance of this policy the Land Office of the State was opened at Richmond, where patents were granted to all who were able and willing to pay a nominal price per acre, and then undergo the fatigue and additional expense of a survey of the tract. A certificate of survey was required at the land office at Richmond to perfect the title. The State

made no surveys, nor was it responsible for the accuracy of any made. It established no meridian line and no point of departure for surveys. If the wit of man had been taxed to devise a scheme to delude and defraud the unwary, none more fertile could have been adopted.

Fabulous stories of the fertility and beauty of the new territory open for settlement spread over all the land, and a steady stream of emigrants poured in, much the larger portion of it from Virginia, each head of a family carrying with him a land patent, with authority to locate and survey any vacant or unoccupied land he might fancy.

The inevitable result of this loose method of business was reaped in after years in numerous land suits, when it was found that all the more valuable portions of the State was shingled with conflicting patents and interlapping lines of survey three or four times over.

The courts first held that the oldest patent carried the land, but afterward, under the Occupying Claimant Laws of the State, the same courts decided that a junior patent with twenty years of occupancy held to the extent of its survey and claim.

From 1781 to 1792 the influx of population into Kentucky was very great, and through all those years there was warm contention between the mother State and the dependent territory as to the right of the latter to apply to Congress for admittance into the Union as a co-equal State.

Kentucky was, in 1792, admitted as a State—first-born of the new Nation—from the vast territory west of the Allegheny range, and by the irony of fate it was made first among sister States to sound the tocsin of revolt against the Nation. With no rights withheld or denied, with no wrongs impending, the Legislature, in 1798, passed a series of resolutions which were primarily intended as a flank movement on the Presidential office; they were adopted as a party shibboleth, and afterward elevated into the dignity of a commentary on the Constitution, as of

more vital worth and force than the original text. This root of bitterness—"source of unnumbered woes"—Kentucky inherited from her mother State, Virginia.

The influence of Virginia in controlling the political action of Kentucky is shown in this, that in twenty-two quadrennial elections for Governor of the State, from 1792 to 1863 inclusive, eleven of them, half the whole number, were Virginians by birth and education; and of the seven Governors born in Kentucky, six of them were of Virginia parentage; of the remaining four, two were born in Maryland, and one each in Pennsylvania and South Carolina. When Virginia took snuff, Kentucky sneezed.

DIVIDED PUBLIC SENTIMENT.

The restraining influence of three men of Kentucky—Mr. Clay, Mr. Crittenden, and Rev. Dr. R. J. Breckenridge—did more to hold the State true to her National obligations than all others combined. In the long, persistent, and unyielding fight of Mr. Clay against all forms of disloyalty and disunion, he had the earnest and hearty co-operation of Mr. Crittenden. A single expression in one of the last speeches made by Mr. Clay in the Senate of the United States, "I owe a supreme allegiance to the Government of the United States, a subordinate allegiance to my State," sounded like the bugle-blast of boots and saddles to call his adherents into line. And just at the most critical period, in the spring and early summer of 1861, Dr. R. J. Breckenridge addressed to the people of Kentucky a series of essays of unanswered, of unanswerable cogency, urging them to stand by the Nation, and to fill all just requisitions for men and means to suppress the rebellion.

Mr. Clay was in his grave, but one of his sons and two of his grandsons were in the rebel armies. Mr. Crittenden, devoted as he was to the perpetuity of the Nation, had a son in each of the hostile armies. Of Dr. R. J. Breckenridge's sons, two were in the Union, and two in the rebel

armies. Judge J. R. Underwood, who had been a representative in Congress, for eight years on the Appellate Bench, and then for six years Senator in Congress, was loyal to the Nation. Two of his sons were in arms aiding the rebellion.

Daniel Breck, formerly member of the Legislature and of Congress, and Judge of the Circuit and Appellate Courts, stood by the Nation. His sons all were arrayed in arms in behalf of rebellion. The Shelys, the Garrards, the Scotts, the Marshalls, the Hardins, the Helms, the Deshays, the Johnsons, the Wickliffs, all of them leading, wealthy, and influential families, were divided in sentiment and feeling, and subsequently had representatives in both National and Rebel armies. The Letchers, the Owsleys, the Harlans, the Goodlows, were all of them loyal.

What was true of leading families was equally true of all classes and grades of society throughout the State.

CONVENTION TO FORM A NEW CONSTITUTION IN 1849.

In 1849 a convention was called to remodel the Constitution. Additional guarantees were demanded for the conservation of slavery.

The party favoring a system of gradual emancipation formulated their platform as advocates of an open clause provision permitting the Legislature at an indefinite time in the future to pass an ordinance of emancipation. They took nothing by their motion, as they were compelled on the stump to avow themselves as favorable to such an ordinance. They met the fate usually accorded to men who have not the courage of their convictions—a disastrous defeat.

In a body of one hundred men, but one man—Silas Woodson, of Knox County—appeared as an advocate of an open clause, and after events proved him to have been unworthy of such an honor. He emigrated to Missouri, and in the troublous Kansas and Nebraska times he was a

chief among "border ruffians," and at the close of the war was elected Governor of the State.

The convention met, deliberated long, discussed every phase of governmental policy and power broached by man, and finally established slavery on a firm and immutable basis by Sections 2 and 3 in the Bill of Rights.

The sections were drawn and presented to the convention by the Hon. Garratt Davis, and they were just as potent guarantees in the maintenance of slavery as was the clerical bull in suppressing the comet.

Here they are:

"SEC. 2. That absolute arbitrary power over the lives, liberty, and property of freemen exists nowhere in a republic, not even in the largest majority.

"SEC. 3. The right of property is before and higher than any constitutional sanction, and the right of an owner of a slave and its increase is the same, and as inviolable as the right of the owner of any property whatever."

These sections are but a dalliance with words, and were intended to beguile and mislead the unwary. They are based on the robber plea,

"They may take who have the power,
And they may keep who can."

If the right of property is before and higher than any constitutional sanction, how happens it that the most sacred of all property rights—the right of man to himself—may be violated by constitutional sanction? The whole theory is a palpably absurd dogma, in violation of natural and governmental rights.

As a fitting commentary of the text, I extract from a bill presented by Mr. Davis—the same Mr. Davis—to the Senate of the United States, December 26, 1861. [See *Congressional Globe*.]

"A bill declaring all persons to be alien enemies who have taken any part in the government of the so-called Southern Confederate States, or any operations or business

connected with it, and all persons who have joined the army or navy, or any military organization or naval expedition of said Confederation, or gotten up by its authority, or in its name against the United States, and all persons giving aid and comfort to said Confederation in the war which it is now waging against the United States, and all such persons to have forfeited to the United States their whole property and estate of every description, including debts, choses in action, and every legal and equitable right, whether in possession or expectancy,"—a perfect drag net.

Two propositions more antagonistic in character—emanating from the same pen—cannot be found in all the domains of legal lore. By the first Mr. Davis hoped to arrest all discussion of the slavery question in Kentucky, and by the latter to frighten rebels from further aggressive warfare on the nation.

Professor Shaler, in his recent history of Kentucky, represents the discussion of the slavery question of that day as temperate in character. Was it so when Cassius Clay's press was taken down by a mob at Lexington and shipped to Cincinnati? Was it so when Bailey's press and type were sunk to the bottom of the river at Newport? Was it so when an eminent legal gentleman of this city was made the victim of a shameful outrage on the streets of Covington for defending a fugitive slave woman in the courts here, as was his right?

The grandest, the most imposing exhibition of aerial warfare is that of the storm cloud and the electric element. I can recall no displays of nature that more aptly illustrates the action of the slavery sentiment and feeling in Kentucky at that period. It zig-zagged its way through all the framework of society, scorching, burning, tearing, and rending communities into opposing and hostile factions, each armed with gleaming sword and burning brand, ready for mortal fray.

"2d. And declaring, and so notifying them, that when those States should send armed forces to the South for such purpose, the people of Kentucky, uniting with their brethren of the South, will as one man resist invasion of the soil of the South at all hazards, and to the last extremity."

Thus it will be seen that the Executive and Legislative Departments of the State Government were fully committed to hostility to the Government of the Nation, and it will also be seen that the military power of the State, together with all the arms of the State, were in the hands of a man prompt to resort to any and every means of aggressive warfare on the nation. The day of the publication of the Buckner-Triplett letter I was in Frankfort and a witness to the consternation occasioned by its premature publication, as it fully unmasked the rebel policy. They were willing to abide by neutrality so long as it subserved their designs, but the instant it failed, to do so they disregarded it.

A PERSONAL REMINISCENCE.

My elder brother was at that time managing editor of the *Frankfort Yeoman*, the most pronounced, outspoken rebel sheet in the State. I called at his office and was directed to his room.

"How are you, Ben? What has brought you to the capital just now?"

"To tender my services as a surgeon in the army," was my reply.

"You had better go home and attend to the interests of your family. The South can not be conquered. I wish," said he, "to talk with you seriously. Here we will be subjected to constant interruption. Will you walk out with me?"

We walked the streets of Frankfort and defined our separate positions. He was my senior in years. I had ever regarded him as my senior in all things. It comes to most men once at least in a lifetime to assert their person-

ality, and that period reached me then and there. His first remark to me was that he was sorry to find me ready to join in an abolition war to overthrow slavery. My response to him was, "Tom, stop just there. You have known me for years as a slave-owning, anti-slavery man, and now I have to say that, so far as I am personally concerned, slavery may be damned. Try another tack." Then the effort was to convince me that ten millions of people standing on their own soil, united and determined, could not be conquered.

"You assume," said I, "more than I will grant. All their union is that enforced by despotic power; break that, and the frame-work of the rebellion will tumble to pieces; but, setting that aside, the Government has been most wantonly assailed, and must, if it hopes to live and have the respect of the world, vindicate its dignity and rights." "How vindicate rights," said he, "with a soldiery that will not fight?" Looking over the country and the battles fought, and naming Bull Run, Ball's Bluff, and Big Bethel—others he did not mention—he said he had reached the conclusion that the Nation had no leaders fit for command, and that Yankee soldiers had no iron in their blood. To which I responded: "If you mean to impute cowardice to an entire section of the Nation, I am sorry to say to you that partisan rancour has usurped the seat of justice and of judgment in your mind, and we had better adjourn our discussion." I reminded him that our grandfather had been a soldier in the Revolutionary struggle, that our father had shouldered his musket in the War of 1812, and said to him that I would be bastard to their blood when I failed to follow in their footsteps.

At this stage of our controversy we had reached the front of a leading hardware house in the city. He stepped into the store and returned in half a minute with a beautiful pearl-handled pocket-knife, and said: "Now, Ben, we can't agree on these questions, let us agree to disagree; but I hope you will accept this little gift as a pledge of personal

amity between us," and he laid the implement in the palm of my hand.

Looking at the gift, an incident of the long past was recalled to my memory. When he was twelve and I was ten, a negro girl living in the family came into the family room one winter morning, and with smiling face said: "Massa Tom, I'se got a volentine, and I wants you to read the writins on it fur me." It was but two lines:

"If you loves me as I loves you,
No knife can cut our loves in two."

The lines instantly popped into my mind, and I repeated them. The memory of the long past incident and its pat application at the moment served to assuage any rising acerbity of feeling, and we had our laugh over it. We met as brothers ever should on the level, and we parted as brothers ever should on the square—he to pursue his course, and I mine.

He was a man of extensive and varied reading; he wielded a facile and trenchant pen; on the platform and on the hustings he was an able debater. His knowledge of the political history of the nation and of its leading men was not surpassed by any one in all the land. He was the trusted friend of Clay, of Crittenden, and of Corwin; but when the supreme hour of the nation's peril and agony came, he abandoned the teachings of those great leaders of men. "Madness ruled the hour."

He lived long enough to know that at Island No. 10, at Memphis, and at New Orleans, the Fresh-water Navy of the Confederacy had been annihilated; long enough to know that at Vicksburg and at Port Hudson the bi-section of the Confederacy had been made complete and permanent, and that henceforth the Father of Waters would flow to the gulf unvexed by the rage of man. He lived to know that at Gettysburg the serried hosts of rebellion had been hurled back to their Virginia stronghold,

—"With hideous ruin and combustion."—

He lived to know that at Chickamauga and at Chattanooga a long, long stride had been taken in the tri-section of the Confederacy. He lived to know that the nation had found leaders fit for command, and that those leaders had found soldiers with iron in their blood, and that those commanders and soldiers had driven cold iron deep into the vitals of the Confederacy. And then he died. All his hopes were blasted. "The silver cord was loosed; the golden bowl was broken at the fountain." He had many noble, generous, and magnanimous traits of character, and my tongue shall cleave to the roof of my mouth before I shall attempt to disparage them.

SLAVERY—PER SE.

Slavery in its economic and financial aspects exercised quite as controlling an influence on society, as in its political relations it did on partisan policy.

The census report of 1860 gives the total population of Kentucky at 1,155,684 persons, and the slave population at 225,483 persons; nearly one-fifth of the total population were slaves; and the same report fixes the value of slave property in the State at a little under one-fourth of the total value of all property in the State. Assuming the average value of each slave to have been \$400 in 1860, it gives \$90,093,200 as their money value at that time. That Mr. Lincoln, two years later, when slave property had greatly depreciated, should have offered three hundred dollars for each slave emancipated is, I think, conclusive evidence that my estimate is not too high. Mr. Lincoln's offer, under authority of an act of Congress, was sixty-seven millions six hundred and forty-four thousand and nine hundred dollars. Either sum was large enough to contend for by men already spoiling for a fight.

At the outbreak of the rebellion I was a slave owner, made such by the accidents of birth and marriage, and under the laws of descent; but no man ever heard from me any justification of slavery. I ever held it to be an un-

mitigated wrong. In 1849 I acted with the emancipation party, and in 1865 I issued an address to the voters of Boone County, Ky., from which I read :

TO THE VOTERS OF BOONE COUNTY, KENTUCKY.

At the earnest solicitation of a number of original Union men of the county, I hereby announce myself a candidate to represent Boone County in the lower branch of the Legislature of Kentucky. I have accepted the position with the distinct understanding that I shall not be expected to engage in an active personal canvass of the county ; domestic considerations imperatively forbid my doing so. Respect for the people demands from me a full and explicit declaration of the principles which have heretofore, and will in the future, govern my political action. I will endeavor to make it so plain that there shall be no grounds for present misrepresentation or future misunderstanding.

I am now, as I have been from the beginning of our political troubles, unconditionally in favor of maintaining the unity, the integrity, and the perpetuity of the Government of the United States, over all the national domain. Because—

1st. My political education taught me that "I owe a supreme allegiance to the General Government, a subordinate one to my State;" and as a corollary therefrom, that secession is treason.

2d. I have never received any wrong from the National Government, but, on the contrary, and always, protection to person and property.

3d. I have never been able to conceive of any wrongs in the Government comparable to those which, in my judgment, are inevitable from disunion.

On the slavery question I seek no concealments, and will resort to no subterfuges to secure votes. As an abstract question of justice and right, it is indefensible. In its politico-economical aspects, the highest official authority of the State—Governor Bramlette—has pronounced it not only worthless, but burdensome ; and in this judgment most men now concur. In its social and domestic relations, its concubinage, its debaucheries, its enforced ignorance, its cruelties, its disregard of the natural ties of parent and offspring—all its inseparable incidents—it is abhorrent to the instinct and judgment of the just-thinking portion of mankind. Since first en-

dowed with the power of thought and reflection, I have ever held the integrity of the Government as of infinitely more worth than slavery.

In 1849, being then a slave owner, I voted in favor of a system of gradual emancipation in Kentucky. The propriety of that vote has been vindicated on every battle-field of the rebellion. Had that policy then prevailed, it would have given a guaranty to the world that slavery was in process of extinction; it would have taken from the disloyalists of the State the potent argument of a community of interests with those seeking a dismemberment of the nation; it would have deprived them of the question of a natural boundary afforded by the great river which sweeps along our Northern limits; and it would probably have prevented a war which has swept into the vortex of ruin the material resources of eleven States of the Union, and which has draped the entire land in mourning.

For the emasculated loyalty of 1861, which under the leadership of Breckenridge and Magoffin, of Powell and Buckner, and which proposed to stand mute and neuter in the presence of an armed rebellion which was stabbing at the vitals of the nation, I entertained neither respect nor sympathy. Neutrality with them was treason masked. Every measure of the legal authorities, State or National, designed to crush the rebellion has had my earnest, thorough, and radical support; and I am radical still in my desire to extirpate from the land the seminal principle of future rebellions, and also to compel all men who claim the protection of a citizen under the national flag to acknowledge their allegiance to the National Government.

If chosen your representative, I will vote in favor of the amendment to the National Constitution forever forbidding slavery in the national limits.

A political defeat on the issues presented, with conscious loyalty, is with me more desirable than would be a triumphant election entertaining feelings of hostility to the unity and perpetuity of my government.

Respectfully,

B. F. STEVENSON.

BURLINGTON, Ky., July 22d, 1865.

STATE SOVEREIGNTY.

On the 18th of December, 1861, two hundred men, refugees from their homes, assembled at Russellville, Logan County, Ky., and after one day of deliberation adopted a constitution, which they proclaimed as the Constitution of the State; and under it they elected George W. Johnson, of Scott County, Provisional Governor of the State. The body also elected ten citizens of Kentucky as an Executive Committee as follows:

- | | |
|------------------------|----------------------|
| 1. Willis B. Machen, | 6. Elijah Burnside, |
| 2. John W. Crockett, | 7. Horatio Bruce, |
| 3. Philip B. Thompson, | 8. Eli M. Bruce, |
| 4. James P. Bates, | 9. James W. Moore, |
| 5. James S. Chrisman, | 10. George B. Hodge. |

Geo. B. Hodge resigned, and S. S. Scott was appointed in his stead.

In this body was vested all the legislative and executive authority of the State.

The convention appointed Henry C. Burnett, William Preston, and William E. Sims as commissioners to negotiate an alliance with the Confederate States.

As a result of that negotiation, Kentucky was admitted into the Confederacy December 10, 1861, by the following ordinance:

“An act for the admission of the State of Kentucky into the Confederate States of America as a member thereof.

“SEC. 1. The Congress of the Confederate States of America do enact that the State of Kentucky be and is hereby admitted as a member of the Confederate States of America on an equal footing with the other States of the Confederacy.

“Approved December 10, 1861.”

The following gentlemen were elected as Representatives or Members of the Provisional Congress from Kentucky:

- | | |
|-----------------------|----------------------|
| 1. Henry C. Burnette, | 6. Thomas Johnson, |
| 2. John Thomas, | 7. Samuel H. Ford, |
| 3. Theo. L. Burnette, | 8. Thomas B. Monroe, |
| 4. George W. Ewing, | 9. John M. Elliott, |
| 5. Daniel P. White, | 10. George B. Hodge. |

The council of ten divided the State of Kentucky into twelve Congressional Districts, and provided for their election by the State at large of persons to represent these districts in the first permanent Congress of the Confederate States.

Voting places were provided for, and on the designated day an election was held in the counties within the lines of the Confederate army, resulting in the choice of the following :

- | | |
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| 1. Willis B. Machen, | 7. Horatio W. Bruce, |
| 2. John W. Crockett, | 8. George B. Hodge, |
| 3. Henry E. Read, | 9. Eli M. Bruce, |
| 4. George W. Ewing, | 10. James W. More, |
| 5. James S. Chrisman, | 11. J. R. Breckenridge, Jr. |
| 6. Theo. L. Burnette, | 12. John M. Elliott. |

These gentlemen took their seats in the first permanent Congress of the Confederate Government, and all of them voted to enforce the conscription throughout Kentucky.

The council of ten elected Henry C. Burnette and William E. Simms to serve for six years in the Confederate Senate ; and in due time proclamation was made that Kentucky of her own free will and choice had joined the Confederacy, and was therefore a State in full membership. This action was all of it a wanton and flagrant outrage on all their professed principles of State sovereignty. Kentucky had at the time a Governor *de jure* who was Governor *de facto* and in office ; she had a legally elected Legislature then in session, and they alone had the right to take action in the premises.

The duplicity, the folly, and the fraud of the entire movement was so transparent as only to have merited the con-

tempt of the world, but for the grave complications which speedily ensued.

Beriah Magoffin, writing of the body that assumed to act for the State at large, says: "I condemn its action in unqualified terms. Self-constituted as it was, and without authority from the people, it can not be justified by similar revolutionary acts in other States by minorities to overthrow State Governments. I condemned their action, and I condemn the action of this one."

General Burnside, when in command of the Department of the Ohio, caused the arrest of Thomas C. Magraw in Harrison County, Ky. He was arrested as a spy, tried as a spy, convicted as a spy, and subsequently executed as a spy. The rebel authorities made strenuous, persistent efforts to save the man, claiming Kentucky to be a portion of the Confederacy under the negotiation with the bogus Commissioners above named, and claiming for Magraw the right of citizenship, and as a consequence the right to recruit soldiers for the rebel armies in the State; and also threatening reprisals should he be executed. Think, Mr. President, what might have resulted if they had had the nerve to have executed their threats. Reprisals would have led to retaliation, and then three years later "our good old mother" away down in Georgia, in bonnet, boots, and gossamer, might have felt a most uncomfortable tightening about the trachea.

PROVISIONAL GOVERNORS OF KENTUCKY.

A Tragedy and a Farce.

George W. Johnson, Provisional—Rebel—Governor of Kentucky, was killed in the ranks at Shiloh, and the council of ten, in the exercise of its imperial functions, appointed Richard Hawes, of Bourbon County, another refugee, to the vacant position; and he, keeping step with the rebel army under Bragg, when he invaded Kentucky in 1862, was made a puppet in the drama of a rebel organization of the State Government. They had their glorification over

the capture and occupancy of the seat of Government; their jubilant march in procession to the capital; the inaugural services were in progress; the address was half read through, when from the high hill commanding Frankfort a salvo of national artillery gave notice to quit and march.

Humphrey Marshall had made one of the cavalcade, and was a looker-on at the moment; beside him stood Orlando Brown, a citizen of the town and a thorough Unionist, a man whose daily drolleries and pleasantries made life a joy to his associates; they had been college mates, and were warm personal friends. At the booming of the cannon Marshall said, "There is our order to leave." Brown said to him, "I have a little good 'Old Bourbon' at home; go with me and try it before you go." "I will," said Marshall, "go with you to your house and drink of your whisky, and then I will go elsewhere; here I have been playing a part in a damned farce." The curtain was rung down on Hawes, and he was seen no more in all the play. If to them it were all a farce, to how many others did it not prove to be a solemn and grave tragedy?

WHAT KENTUCKY DID IN THE WAR.

The more agreeable task remains for me to say what Kentucky did to aid in the overthrow of rebellion. At the general election of 1861, a decided majority of Union men were returned to both branches of the Legislature.

It met on the first Monday of September, and its first decisive action was to order the withdrawal of the rebel troops under command of Generals Polk and Zollicoffer from Kentucky at points where they had made menacing lodgments. It ordered compliance with all requisitions made by the President for troops; and it also passed an act granting the credit of the State to a loan for three millions of dollars for the national treasury.

From this period all the demands made on Kentucky for troops to aid in crushing out the rebellion were promptly complied with, notwithstanding forty thousand men, most

of them in the bloom of youth—bold, dashing, vigorous riders and raiders as ever wielded saber or leveled a lance—had already left the State to engage in rebellion.

Companions of Ohio; Companions of Indiana; Companions at large, was there not much in these complications and involvements to palliate, if not to justify and demand on the part of Kentucky pause and delay?

Professor Shaler in his history of Kentucky expresses the opinion that if the State had joined the Confederacy by the passage of an ordinance of secession, the final result of the struggle would probably have had a different ending. In that opinion I think he errs. Had Kentucky been made the battle-ground for the Confederacy, the contest would have closed much sooner than it did. The lines for the maintenance of a defensive war in Virginia are very much superior to those in Kentucky, and to have fought the battle in the latter State would have required largely increased forces, as Virginia would never have consented to the abandonment of Richmond; and dispersion of their forces would have had with them the same disastrous results that it had with national troops.

What would have been the final results of the triumph of rebellion can at this day be only a matter of speculation.

What some of those claiming to be leaders in the movement averred as their determined purpose, I do happen to know.

One of the council of ten was a citizen of my county; and his declarations were, first, that all the National territory south of the north line of Missouri, clear across the continent to the Pacific Coast, should be Confederate territory, and be forever dedicated to slavery; and second, that having in their possession all the mouths of the Mississippi, they should be held sealed to the commerce of the Northern States until its government by treaty pledged itself to return to claimants all escaping slaves. And this man was seriously in earnest. He was the first man to leave the county to join the rebel army, and he was the last man to return to his family.

THE FATHER OF WATERS.

A navigable stream at its source, springing from its hundred lakes and lakelets, which like brimming urns are pouring over their rims a ceaseless flow of water, limpid, crystal pure as ever distilled from terrene matrix. Its tributary streams, east and west, converging from the Allegheny ridge, and from the sentinel peaks of the great Rocky range, flowing thence to the gulf, and bearing annually on its bosom more of the wealth of the world than the Danube, the Ganges, and the Nile combined. The Valley of the Mississippi, the richest heritage of man, the fairest, the most fertile, the most habitable of all lands within the temperate zones. Its streams of living men are poured in from half the rotund world. 'Tis God's alembic, in which the North-man, the Dane, the Swede, the Teuton, the Celt, the Briton, the Frank, the Iberean, the Italian will all of them be fused into a homogeneous man, and who, reared and educated to know that liberty does not mean license, and that law does mean order, will present to the world the most benign government in all the tide of time. And this fruition of hope the nation was required to forego, that slavery, the reproach to Christianity, the stain to humanity, might be made perpetual.

All honor to the gallant soldier (Gen. Logan) who in Richmond threw at the head of the rebel authorities the declaration that "We will hew our way to the Gulf with our swords," and preserve forever the free navigation of the Mississippi River.

A RETROSPECT.

Fifty-three years since in this month of June John Randolph, of Roanoke, left his home in Virginia with broken health in search of medical advice in the city of Brotherly Love. He traveled like a prince of the realm, in his private





